

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JON ROSATO, on behalf of himself and similarly:	:	
situated individuals,	:	19 Civ. 10559 (LGS)
	:	
Plaintiff	:	<u>ORDER</u>
	:	
-against-	:	
	:	
THE CITY OF NEW YORK,	:	
	:	
Defendant.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:


WHEREAS, the parties have proposed filing a pre-motion letter and scheduling a pre-motion conference for conditional certification of a Fair Labor Standards Act (“FLSA”) collective (Dkt. 34). It is hereby

ORDERED that, given the lenient standard for conditional certification, *see Varghese v. JP Morgan Chase & Co.*, Nos. 14 Civ. 1718, 15 Civ. 3023, 2016 WL 4718413, at *5 (S.D.N.Y. Sept. 9, 2016) (“Plaintiff’s burden is minimal because the determination that the parties are similarly situated is merely a preliminary one” (quoting *Lee v. ABC Carpet & Home*, 236 F.R.D. 193, 197 (S.D.N.Y. 2006))), the parties are directed to meet and confer regarding the possibility of stipulating to conditional certification and the form of notice, reserving all of Defendant’s rights to object to any final certification under the more rigorous standard that applies at that stage. It is further

ORDERED that Plaintiff shall file any conditional certification motion by **September 21, 2020**, Defendant shall file any opposition by **October 5, 2020**, and Plaintiff shall file any reply by **October 12, 2020**. A conference will be held on **November 12, 2020, at 10:30 a.m.** for an oral ruling on Plaintiff’s conditional certification motion, should one be filed. The requirement of

filing pre-motion letters for conditional certification motions is waived.

Dated: September 1, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE